

## Message Text

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ACTION DLOS-07

INFO OCT-01 DRC-01 CIEP-02 ISO-00 OIC-04 AF-10 ARA-16

EA-11 EUR-25 NEA-14 RSC-01 CG-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 PRS-01

SP-03 SS-20 USIA-15 AID-20 CEQ-02 COA-02 COME-00

EB-11 EPA-04 IO-14 NSF-04 SCI-06 FEAE-00 ACDA-19

AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01

TRSE-00 /291 W

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R 091943Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4555

INFO USUN NEW YORK 635

AMEMBASSY NAIROBI

UNCLAS SECTION 1 OF 2 CARACAS 6246

FROM US DEL LOS

EO 11652: NA

TAGS: PLOS UN

SUBJECT: LOS: UNEP STATEMENT TO CONF PLENARY

1. SUMMARY. UNEP USYG M STRONG DELIVERED LENGTHY STATEMENT TO LOS CONF CONTAINING SPECIFIC PRINCIPLES HE CONSIDERED ESSENTIAL FOR INCLUSION IN TREATY.

2. DETAILS. USYG STRONG DELIVERED DETAILED STATEMENT IN WHICH HE PODUCED SPECIFIC FORMULATIONS ON ENVIRONMENTAL ISSUES FOR CONSIDERATION OF CONF. HE URGED NATIONAL ENFORCEMENT OF LEGISLATION TO MEET STANDARDS AGREED UPON INTERNATIONALLY IN PROTECTING MARINE ENVIRONMENT AND FISHERIES. STRONG THEN DEVELOPED 16 POINTS WHICH IN  
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HIS VIEW SHOULD BE AFFIRMED IN LOS AGREEMENT. THEY ARE AS

FOLLOWS: QTE (A) STATES SHALL PROTECT THE QUALITY AND RESOURCES OF THE MARINE ENVIRONMENT FOR THE BENEFIT OF PRESENT AND FUTURE GENERATIONS.

(B) STATES SHALL COOPERATE WITH EACH OTHER AND WITH THE COMPETENT INTERNATIONAL BODIES IN TAKING MEASURES TO PROTECT THE MARINE ENVIRONMENT, INCLUDING THE DEVELOPMENT OF MINIMUM INTERNATIONAL STANDARDS AND THE ESTABLISHMENT OF MACHINERY FOR DISPUTE SETTLEMENT.

(C) STATES SHALL TAKE FULLY INTO ACCOUNT STANDARDS RECOMMENDED BY THE COMPETENT INTERNATIONAL BODIES IN TAKING NATIONAL MEASURES FOR THE PROTECTION OF THE MARINE ENVIRONMENT. THEY SHALL ALSO CONFORM THEIR NATIONAL LAWS TO OBLIGATORY INTERNATIONAL MEASURES. AND THEY SHALL ENSURE THAT THEIR NATIONAL LAWS AND REGULATIONS PROVIDE ADEQUATE ENFORCEMENT OF NATIONAL CONTROL MEASURES.

(D) STATES SHALL COOPERATE WITH OTHER STATES AND WITH THE COMPETENT INTERNATIONAL BODIES IN ACHIEVING HIGH OPTIMUM YIELDS OF LIVING MARINE RESOURCES ON A SUSTAINABLE BASIS.

E) STATES SHALL ADOPT AND ENFORCE CONSERVATION MEASURES FOR FISHING CARRIED OUT WITHIN THEIR NATIONAL JURISDICTIONS.

F) STATES SHALL BE LIABLE FOR INJURY CAUSED BY THEIR OWN ACTIVITIES, THOSE OF THEIR NATIONALS AND OTHERS UNDER THEIR CONTROL OR REGISTRATION TO ANY PORTION OF THE MARINE ENVIRONMENT, INCLUDING AREAS AND RESOURCES BEYOND THE LIMITS OF NATIONAL JURISDICTION.

G) STATES SHALL USE THE BEST PRACTICABLE MEANS TO MINIMIZE THE DISCHARGE OF MARINE POLLUTANTS FROM ALL SOURCES, LAND-BASED AS WELL AS MARINE-BASED. UNQUOTE

3. ON POLLUTION FROM SHIPS, STRONG ACKNOWLEDGED FRUITFUL WORK OF IMCO AND CONTINUED: QUOTE

(H) URGES STATES TO ACCELERATE THE NATIONAL PROCEDURES REQUIRED TO BRING INTO FORCE THE LONDON CONVENTION ON UNCLASSIFIED

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OCEAN DUMPING, THE 1969 AND 1971 AMENDMENTS TO THE CONVENTION ON THE DELIBERATE DISCHARGE OF OIL, THE 1969 CONVENTIONS ON OIL POLLUTION ACCIDENTS, AND THE 1973 CONVENTION ON POLLUTION FROM SHIPS, AND OTHER CONVENTIONS ON MARINE-BASED SOURCES OF POLLUTION.

(I) STATES SHALL ENFORCE THEIR INTERNATIONAL OBLIGATIONS ON SHIPS FLYING THEIR FLAGS, AND SHALL HAVE THE RIGHT

TO DO SO ON SHIPS UTILIZING THEIR COASTAL WATERS, AND  
ON SHIPS UTILIZING THEIR PORTS.

(J) COASTAL STATES SHALL HAVE THE RIGHT, UP TO WHAT-  
EVER LIMITS THE CONFERENCE MAY SET FOR THIS PURPOSE, TO  
ESTABLISH POLLUTION CONTROL STANDARDS MORE STRINGENT THAN  
THOSE AGREED INTERNATIONALLY WHERE THESE ARE NECESSARY TO  
PREVENT HARM TO AREAS DETERMINED IN AN APPROPRIATE INTER-  
NATIONAL FORUM TO BE ESPECIALLY SENSITIVE. UNQUOTE.

4. STRONG ADDED THESE RIGHTS SHOULD BE EXERCISED IN NON-  
DISCRIMINATORY MANNER. PRIOR NOTIFICATION AND CONSULTATION  
OF FLAG STATES CONCERNED WOULD BE ESSENTIAL AS WOULD REVIEW  
IN APPROPRIATE INTERNATIONAL FORUM IF EXERCISE OF THESE  
RIGHTS BE CHALLENGED. QUOTE

(K) THIS AUTHORITY SHOULD HAVE AMONG ITS RESPONSIBILITIES  
THE SETTING OF MINIMUM BINDING STANDARDS TO CONTROL  
POLLUTION FROM EXPLORATION AND EXPLOITATION OF SEABED  
RESOURCES BEYOND THE LIMITS OF NATIONAL JURISDICTION.

(L) COASTAL STATES SHALL TAKE THE MINIMUM INTERNATIONAL  
STANDARDS SET BY THE SEABED AUTHORITY FULLY INTO ACCOUNT  
IN REGULATING ACTIVITIES WITHIN THEIR COASTAL AREAS, AND  
SHALL EXPLICITLY JUSTIFY ANY WEAKENING OF SUCH STANDARDS.

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AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01

TRSE-00 /291 W

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R 091943Z JUL 74  
FM AMEMBASSY CARACAS  
TO SECSTATE WASHDC 4573  
INFO USUN NEW YORK 637  
AMEMBASSY NAIROBI

UNCLAS SECTION 2 OF 2 CARACAS 6246

FROM US DEL LOS

(M) STATES SHALL PERMIT SCIENTIFIC RESEARCH IN COASTAL AREAS, UP TO WHATEVER LIMITS THE CONFERENCE MAY SET, PROVIDED THAT IT HAS PEACEFUL PRUPOSES AND THAT ARRANGEMENTS ARE MADE FOR COMPLETE AND PROMPT SHARING OF ITS RESULTS WITH THE COASTAL STATE.

(N) STATES SHALL COOPERATE WITH EACH OTHER AND WITH THE COMPETENT INTERNATIONAL BODIES IN ELABORATING AND EXECUTING PLANS FOR SCIENTIFIC RESEARCH IN THE MARINE ENVIRONMENT.

(O)  
STATES SHALL COOPERATE IN PROVIDING TECHNICAL ASSISTANCE TO DEVELOPING COUNTRIES TO ENABLE THEM TO  
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PARTICIPATE IN PROGRAMMES OF SCIENTIFIC RESEARCH IN THE MARINE ENVIRONMENT.

(P) STATES SHALL PROVIDE, WITHIN THE LIMITS OF THEIR CAPABILITIES, ASSISTANCE REQUESTED BY OTHER STATES THREATENED BY MAJOR POLLUTION INCIDENTS AFFECTING THE MARINE ENVIRONMENT. UNQUOTE.

3. STRONG CONCLUDED BY VOICING HIS ALARM BY TENDENCY TO CONSIDER ECONOMIC RESOURCE ZONE AS EQUIVALENT OF TERRITORIAL SEA. WHATEVER WIDTH OF COASTAL ZONE, COASTAL STATE MUST PROTECT AREA FROM INJURY EVEN IF INTERNATIONAL COMMUNITY LAGS BEHIND IN ACTION AND CONF SHOULD ENSURE INTERNATIONAL COMMUNITY CAN PROTECT ITS INTERESTS IN MARINE ENVIRONMENT AS WHOLE THROUGH MINIMUM INTERNATIONAL STANDARDS. HE EXPRESSED CONCERN FOR EXEMPTION OF STATE OWNED SHIPS FROM EXISTING INTERNATIONAL AGREEMENTS ON POLLUTION.

4. URUGUAY FORMALLY PROTESTED STRONG STATEMENT ON THE ECONOMIC ZONE. ECUADOR, EL SALVADOR AND BRAZIL ASSOCIATED THEMSELVES WITH EXPRESSION OF CONCERN.  
STEVENSON

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